

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: WOODS AT CASSELBERRY APARTMENTS

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 1/11/05 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. APPROVE the revised development plan for apartments on approximately 10.72 acres zoned R-4 (Multiple-Family Residential) located on the west side of Jergo Road, approximately 800 feet south of Howell Branch Road in Section 34, Township 21 South, Range 30 East; (Francisco Rojo/Landmark Companies, applicant); or
2. DENY the revised development plan for apartments on approximately 10.72 acres zoned R-4 (Multiple-Family Residential) located on the west side of Jergo Road, approximately 800 feet south of Howell Branch Road in Section 34, Township 21 South, Range 30 East; (Francisco Rojo/Landmark Companies, applicant); or
3. CONTINUE the public hearing until a time and date certain

District 1 – Commissioner Dallari

Francisco Torregrosa, Planner

BACKGROUND:

The applicant proposes revisions to a development plan approved in 1981. The original plan depicted 120 apartment units on approximately 13.5 acres zoned R-4 (Multiple-Family Residential) located on the west side of Jergo Road, approximately 800 feet south of Howell Branch Road. The R-4 zoning requires that a development plan accompany the application for rezoning. Any change to the development plan shall be resubmitted to the Planning and Zoning Commission and the Board of County Commissioners for approval prior to issuance of any building permit. Because the revised development plan indicates an increase in density, staff advertised the request as a public hearing. The revisions to the 1981 site plan include increasing the number of apartment units from 120 to 180 and reducing the acreage from 13.5 to 10.72 acres. These revisions effectively increase the proposed density

Reviewed by: KR
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. ph700pdp03

from 8.9 units per acre to 16.8 units per acre. The future land use designation of the subject property is High Density Residential, which allows the proposed apartments at the proposed density.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested revised development plan as submitted and attached with the following conditions:

1. Construction of a six foot brick or masonry wall along the entire eastern property boundary as required by active/passive buffer design standards (LDC 30.1232); and
2. Construction of pedestrian access sidewalks/trails around the retention pond; and
3. Upgrade of Jergo Road to County standards from Howell Branch Road to the entrance of the apartment complex.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Board meeting is scheduled for January 5, 2005. Minutes and recommendations are not available at this time.

Attachments: Location Map
Proposed Development Plan
Existing Development Plan
Development Order
Zoning and Land Use Maps
Legal Description
Sketch of Description

Woods at Casselberry Apartments

Development Plan Approval on R-4 zoned Property (Multiple-Family Dwelling District)		Z2004-064
REQUEST		
APPLICANT	Francisco Rojo / Landmark Companies	
REZONING	NA	
FUTURE LAND USE	High Density Residential	
APPROXIMATE GROSS ACRES	10.72	
LOCATION	Located on the south side of Howell Branch Road approximately 800 feet south of Jergo Road	
BCC DISTRICT	District 1 – Dallari	
RECOMMENDATIONS AND ACTIONS		
STAFF RECOMMENDATION	Staff recommends APPROVAL of the development plan.	

STAFF ANALYSIS & FINDINGS

OVERVIEW

Zoning Request:

The applicant, Francisco Rojo/Landmark Companies, is requesting approval of a revised development plan, in order to build 180 apartment units on 10.72 acres in the R-4 zoning district. No rezone is required since the property is already zoned R-4. However, since the proposed density of 16.8 units per acre is more than that the approximately 8.9 units per acre proposed in a 1981 development plan found in County records, approval of the revised plan is required. The future land use designation of the subject property is High Density Residential, which allows the proposed apartments.

The applicant is proposing access off of Jergo Road. This roadway will be required to be upgraded to meet County standards from Howell Branch Road to the entrance of the proposed apartment complex. The applicant understands and has agreed to abide by this requirement. Staff, therefore, recommends approval of the development plan as submitted.

The existing zoning and future land use designations surrounding the subject property are as follows:

Location	Future Land Use*	Zoning*	Current Use
Site	HDR (High Density Residential)	R-4 (Multiple-Family Dwelling District)	Vacant
North	HDR (High Density Residential)	R-4 (Multiple-Family Dwelling District)	Vacant, Church and Apartments
South	City of Casselberry Multi-Family	City of Casselberry Multi-Family	Apartments
East	LDR (Low Density Residential)	R-2 (One and Two-Family Dwelling District) and R-1A (Single-family Dwelling District)	Single-family Residences
West	City of Casselberry Multi-Family	City of Casselberry Multi-Family	Townhomes

SITE ANALYSIS

Facilities and Services:

The proposed zoning is consistent with the adopted future land use designation assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.

Water and sewer service is available to the site and supplied by the City of Casselberry. The property may annex into the City as a result of the utility connections.

Transportation / Traffic:

Access is available to the site from Howell Branch Road through Jergo Road. Howell Branch Road is classified as a Minor Arterial and has an adopted Level of Service "D+20%". It is currently operating at a Level of service of "D" in this area.

Compliance with Environmental Regulations:

At this time there are no concerns with compliance with environmental regulations. The applicant must demonstrate at site plan approval that 25 percent of the trees are being preserved.

Compatibility with Surrounding Development:

The property has a High Density Residential land use designation, and the proposed apartments are allowed in that future land use category. The property is surrounded by

High Density Residential to the north, Medium and Low Density Residential future land use on the east and southeast, and the City of Casselberry to the south and west.

STAFF RECOMMENDATION

Staff recommends approval of the revised development plan with the following conditions:

1. Construction of a six foot brick or masonry wall along the entire eastern property boundary as required by active/passive buffer design standards (LDC 30.1232); and
2. Construction of pedestrian access sidewalks/trails around the retention pond; and
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Woods at Casselberry Apartments

Development Plan Approval on R-4 zoned Property (Multiple-Family Dwelling District)		Z2004-064
REQUEST		
APPLICANT	Francisco Rojo / Landmark Companies	
REZONING	NA	
FUTURE LAND USE	High Density Residential	
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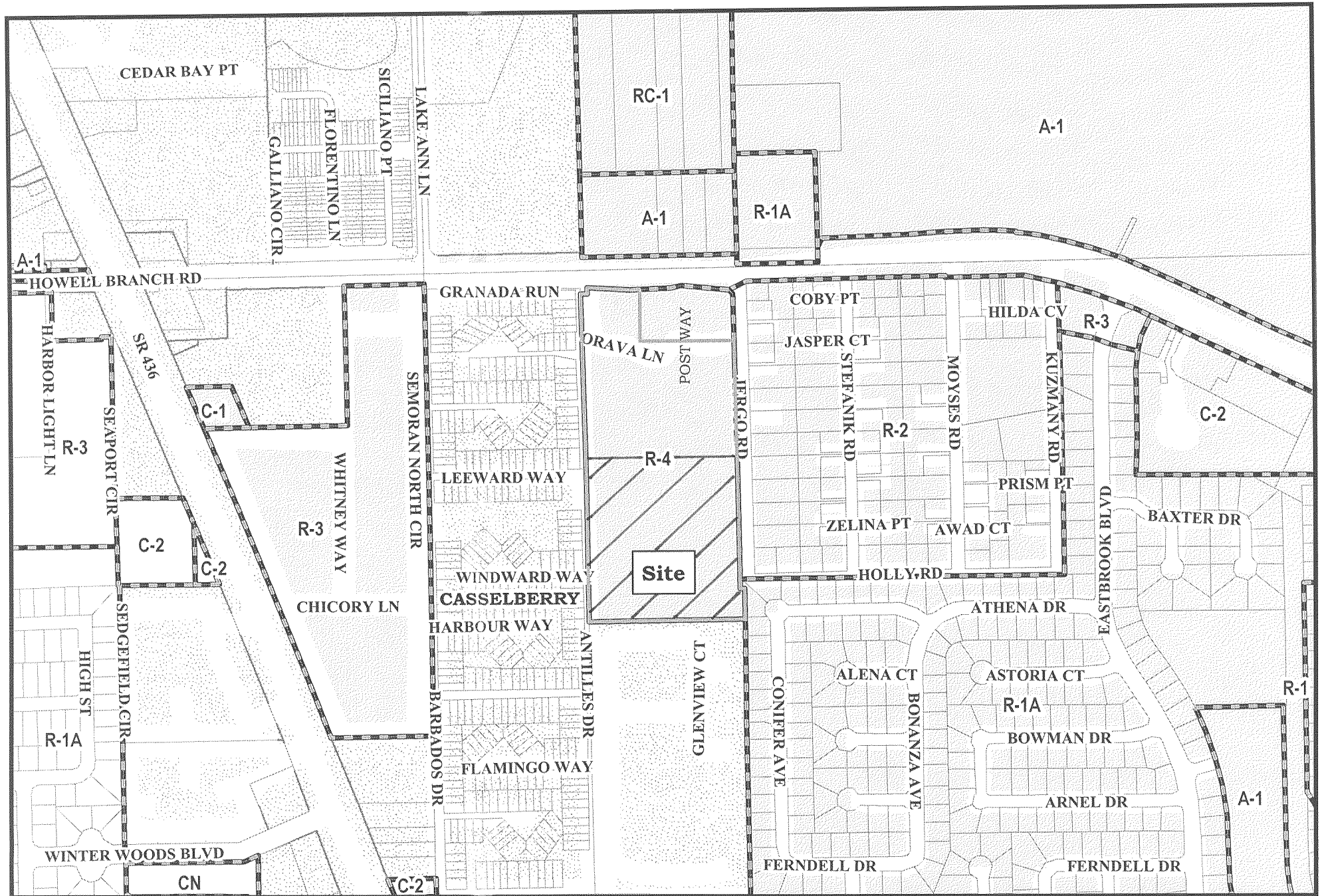
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Woods at Casselberry Francisco Rojo

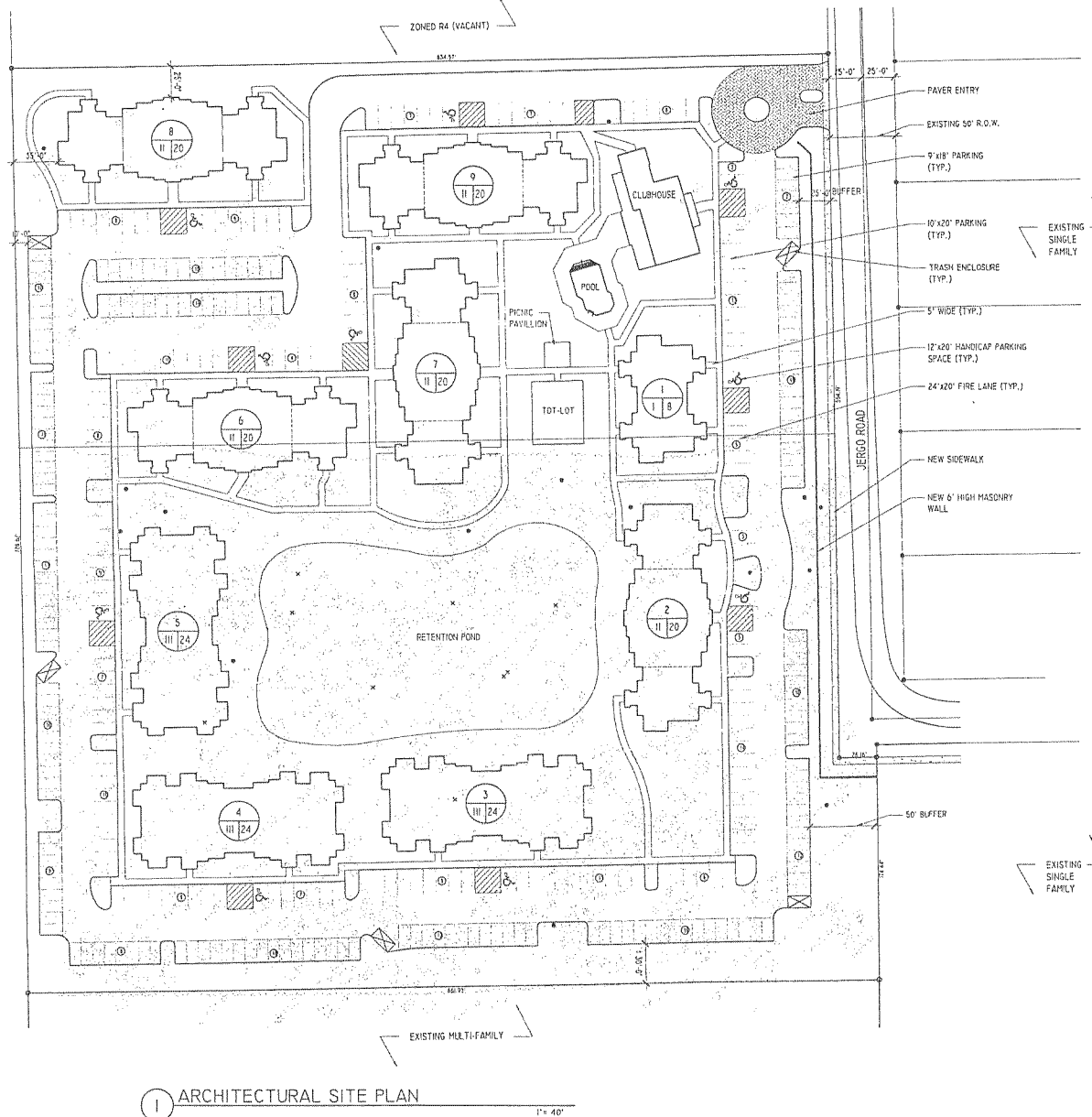


JANUARY 11, 2005

Parcel ID #: 34-21-30-300-0100-0000/ District: 1

0 150 300 600 Feet

REVISED DEVELOPMENT PLAN - 2004



PARKING SPACES

TOTAL REQUIRED FOR APARTMENTS	= 360 (2.1)
TOTAL PROVIDED:	
10' x 20' FOR APARTMENTS	= 180
9' x 18' FOR APARTMENTS	= 170
12' x 20' HANDICAP SPACES	= 10
TOTAL PROVIDED FOR APARTMENTS	= 360
TOTAL PROVIDED:	
10' x 20' FOR CLUBHOUSE	= 7
12' x 20' H.C. FOR CLUBHOUSE	= 1

BUILDING INFORMATION

UNIT & BUILDING MIX SUMMARY:

(9) APARTMENT BUILDINGS (180 TOTAL APT. UNITS)

- (1) BLDG. TYPE I: 2-STORY W/8 UNITS
- (4) 2 BR./2 BATH UNITS x 1 = 4
- (4) 3 BR./2 BATH UNITS x 1 = 4

- (5) BLDG. TYPE II: 3-STORY CENTER & 2-STORY ENDS W/20 UNITS
- (16) 2 BR./2 BATH UNITS x 5 = 80
- (4) 3 BR./2 BATH UNITS x 5 = 20

- (3) BLDG. TYPE III: 3-STORY 5/24 UNITS
- (12) 2 BR./2 BATH UNITS x 5 = 36
- (12) 3 BR./2 BATH UNITS x 5 = 36

TOTAL 2 BR./2 BATH UNITS = 120 (67 %)

TOTAL 3 BR./2 BATH UNITS = 60 (33 %)

APT. MAX. BLDG. HEIGHT = 40'-0 3/4"

AMENITIES:

CLUBHOUSE W/POOL

PICNIC PAVILLION

TOT LOT

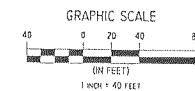
LEGEND

- XX - BUILDING I.D. NUMBER
- X - NO. OF UNITS
- - BUILDING TYPE

- TREE
- TREE 24" OR GREATER
- TREE 24" OR GREATER MARKED FOR REMOVAL

NOTE: LESS THAN 75% OF TREES ARE MARKED FOR REMOVAL

NOTE: OPEN SPACE EXCEEDS 200 SQ. FT. PER UNIT



1 ARCHITECTURAL SITE PLAN

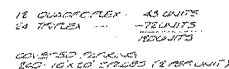
1" = 40'

THE WOODS AT CASSEBERRY
SEMINOLE COUNTY, FLORIDA
ARCHITECTURAL SITE PLAN

FORUM
ARCHITECTURE & INTERIOR DESIGN, INC.
PLANNING & ARCHITECTURE • INTERIOR DESIGN • LANDSCAPE ARCHITECTURE
701 South Ave. 10th Fl., Tallahassee, Florida 32301-1101 (904) 944-1101 FAX (904) 944-1102

PRELIMINARY
SET

NO.	DATE	DESCRIPTION
1	10/10/04	PROJECT NUMBER: 1515
2	10/10/04	PROJECT DATE: 10/10/04
3		SHEET NUMBER
4		AP
5		A2.01
6		GRID SHEET NO. OF



2/2/11 - No additional permits and
development plan is submitted.
Approved by OCL. Vested Bill
Revised.

Sil. Pl. 196

GFC 9 1592

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Seminole County, Florida

Property Appraiser Services

Your Source for Property Information... Quick, Convenient, Accurate

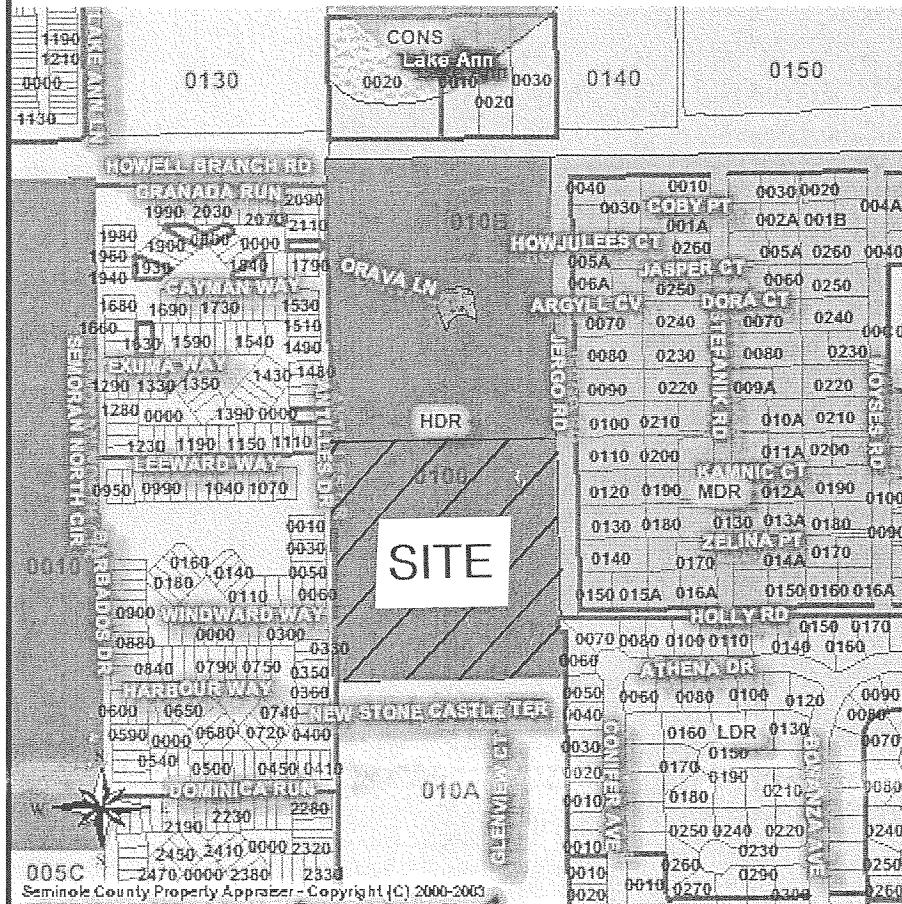
H. W. "Bill" Suber CFA, ASA



Seminole County

Property Appraiser
Services1101 E. First St.
Sanford FL 32771
407-665-7506

FUTURE LAND USE MAP



Seminole County, Florida

Property Appraiser Services

Your Source for Property Information... Quick, Convenient, Accurate

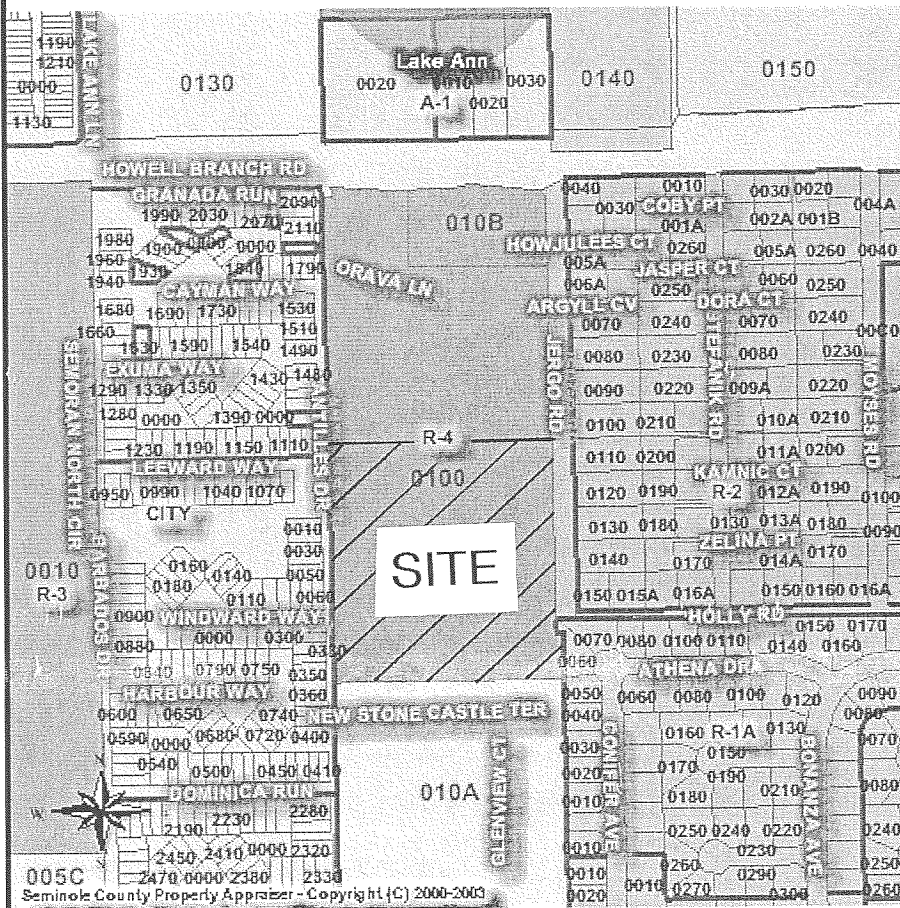
H. W. "Bill" Suber CFA, ASA



Seminole County

Property Appraiser
Services1101 E. First St.
Sanford FL 32771
407-665-7506

ZONING MAP



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 11, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

A portion of the East Half (1/2) of the West Half (1/2) of the Northwest Quarter (1/4) of Section 34, Township 21 South, Range 30 East, of the Public Records of Seminole County, Florida, Being more particularly described as follows:

COMMENCING at the Northwest corner of the Northwest 1/4 of section 34, Township 21 South, Range 30 East; thence N89°08'23"E along the North line of the Northwest 1/4 of said section 34, a distance of 660.85 feet; thence S01°00'08"E along the West line of the East 1/2 of the West 1/2 of the Northwest 1/4 of said section 34, a distance of 797.23 feet to the POINT OF BEGINNING; thence continue S01°00'08"E along said West line a distance of 728.62 feet; thence N89°08'35"E, a distance of 661.93 feet, thence N01°01'56" along the West line of Eastbrook Subdivision, Unit No. Sixteen, as recorded in Plat Book 15, page 36 of the Public Records of Seminole County, Florida, a distance of 174.44 feet; thence S89°14'33"W a distance of 28.16 feet; thence N00°54'37"W along the West right-of-way line of Jergo Road per Official Records Book 430, Page 144 of the Public Records of Seminole County, Florida a distance of 554.19 feet; thence S89°08'15"W, a distance of 634.57 feet to the POINT OF BEGINNING.

Containing 10.72 acres (466,898 square feet) more or less.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: SLOVAK GARDEN
3110 HOWELL BRANCH ROAD
WINTER PARK, FL 32792

Project Name: WOODS AT CASSELBERRY APARTMENTS

Prepared by: Francisco Torregrosa
1101 East First Street
Sanford, Florida 32771

Requested Development Approval:

REVISED DEVELOPMENT PLAN FOR 180 APARTMENT UNITS, AS DEPICTED ON THE ATTACHED DEVELOPMENT PLAN.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. Construction of a six foot brick or masonry wall along the entire eastern property boundary as required by active/passive buffer design standards (LDC 30.1232(d)(2)(a); and
2. Construction of pedestrian access sidewalks/trails around the retention pond; and
3. Upgrade of Jergo Road to County standards from Howell Branch Road to the entrance of the apartment complex.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

FILE NO.: Z2004-064

DEVELOPMENT ORDER #

04-20000018

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, SLOVAK GARDEN, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Frank Rudziek, Authorized Agent for
Slovak Garden

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Insert Name who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Woods at Casselberry Apartments
Legal Description & Site Address

A portion of the East Half (1/2) of the West Half (1/2) of the Northwest Quarter (1/4) of Section 34, Township 21 South, Range 30 East, of the Public Records of Seminole County, Florida, Being more particularly described as follows:

COMMENCING at the Northwest corner of the Northwest 1/4 of section 34, Township 21 South, Range 30 East; thence N89°08'23"E along the North line of the Northwest 1/4 of said section 34, a distance of 660.85 feet; thence S01°00'08"E along the West line of the East 1/2 of the West 1/2 of the Northwest 1/4 of said section 34, a distance of 797.23 feet to the POINT OF BEGINNING; thence continue S01°00'08"E along said West line a distance of 728.62 feet; thence N89°08'35"E, a distance of 661.93 feet, thence N01°01'56" along the West line of Eastbrook Subdivision, Unit No. Sixteen, as recorded in Plat Book 15, page 36 of the Public Records of Seminole County, Florida, a distance of 174.44 feet; thence S89°14'33"W a distance of 28.16 feet; thence N00°54'37"W along the West right-of-way line of Jergo Road per Official Records Book 430, Page 144 of the Public Records of Seminole County, Florida a distance of 554.19 feet; thence S89°08'15"W, a distance of 634.57 feet to the POINT OF BEGINNING.

Containing 10.72 acres (466,898 square feet) more or less.

Address: West side of Jergo Road, 800 feet south of Howell Branch Road, Seminole County FL 32792